

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

\$2100 REALTY, et al.,)	CASE NO. 1:06CV1171
)	
)	
Plaintiffs,)	
)	MAGISTRATE JUDGE HERMANN
v.)	
)	
IMPAC MORTGAGE HOLDINGS, INC.,)	MEMORANDUM OPINION
et al.,)	
)	
Defendants.)	

This matter is before the court on consent of the parties. At the case management conference held on August 30, 2006 the court raised the issue of subject matter jurisdiction. Specifically the court questioned whether the jurisdictional amount of \$75,000 existed. The parties were asked to brief the issue within 14 days.

Subsequent to the case management conference the court notified the parties that the court found the case of *Exxon Mobil Corp. v. Allapattah Servs., Inc.*, 545 U.S. 546 (2005), to be controlling and to support removal on the basis of subject matter jurisdiction. On September 8, 2006 defendants filed a brief in support of jurisdiction, citing the same case. The court therefore concludes, based on the rationale of *Exxon Mobil Corp.*, that there exists subject matter jurisdiction

based on diversity and removal of the case from state court was proper.

IT IS SO ORDERED.

Dated: September 26, 2006

s:\Patricia A. Hemann
Patricia A. Hemann
United States Magistrate Judge